

REMARKS

Failure to Enter Prior Amendment

It is questioned why Applicant's last amendment, mailed June 19, 2003, was not entered. The amendments to the claims were directed only to resolving the 112 issues presented in the Final Office Action, and all the amendments were made in response to specific direction from the examiner in the Final Office Action. The Advisory Action states that the amendments fail to reduce or simplify the issues for appeal. To Applicant's attorney's knowledge, eliminating 112 rejections that could potentially be presented to the Board if appealed *IS* reducing the issues for appeal.

The continuation page of the Advisory states that the 112 of claim 10 still stands. However, since the amendment in its entirety was not entered, *all* of the 112 issues still stand.

Also, it is stated that the amendment raises new issues requiring further consideration or new search. As the amendment only addresses 112 issues and does not change the scope of the claims, it is questioned as to what raises a new issue or what requires a new search?

35U.S.C. §112

Claims 2, 5, 6, 8, 10 and 13-15 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

Claims 2, 5, 6, 8, 10 and 13-15 have been amended to recite "integrally formed" instead of "integral" as directed by the Examiner.

To advance prosecution, Claim 10 has been deleted. It is noted that claim 10 was originally added to further distinguish over prior art such as Leonard wherein the bumper contact surface is at the same radial location as the bead retaining portion of the lower retainer. As the Examiner is holding that the subject matter of claim 10 is inherent in claim 1, than Applicants take official notice that the subject matter of claim 1 defines over a structure such as that of Leonard.

Claim 14 has been amended to correct the dependency so it is not a duplicate of claim 6.

35 U.S.C. § 102(b)

Claims 1-7 and 10-15 have been rejected under 35 U.S.C. § 102(b) as anticipated by,

or in the alternative, under 35 U.S.C. 103(a) as obvious over Ecktman et al (USP 5,201,500).

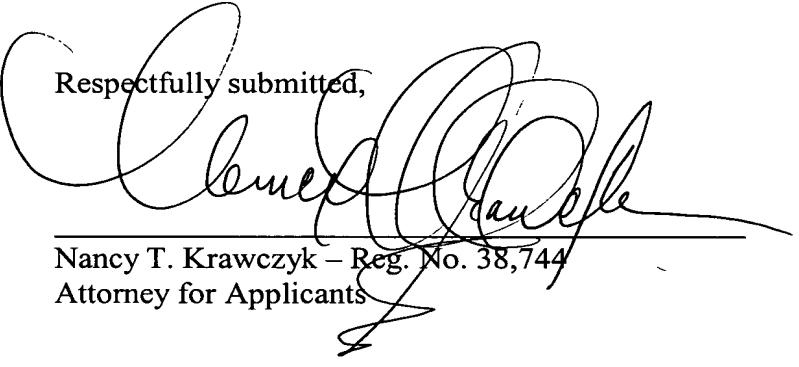
This rejection is respectfully traversed for the following reasons.

Applicant's arguments presented before stand as applicable herein and are incorporated by reference.

To summarize: Ecktman specifically teaches forming the bumper as a separate element, not as part of the retainer as recited, and as Ecktman fails to disclose this feature, Ecktman fails to meet the requirements under 102(b). Regarding the 103 rejection applying Ecktman, while Ecktman appreciated the simplification of forming parts integrally, see col. 4, lines 22-27, Ecktman chose not to do so, instead teaching the use of varying bumper heights for a single air spring to meet different air spring characteristics.

In light of this amendment, all of the claims now pending in the subject patent application are allowable. Thus, the Examiner is respectfully requested to allow all pending claims.

Respectfully submitted,


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